



WORK-LIFE FLEXIBILITY AND EVALUATION:

A TOOLKIT FOR COMMITTEES CHARGED WITH EVALUATING FACULTY

This Toolkit provides advice to tenured and pre-tenure faculty
about evaluation in accordance
with Boise State University's efforts
to support work-life flexibility.

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INTRODUCTION

This toolkit includes information about work-life issues for departments, promotion and tenure committees, sabbatical committees, and others charged with evaluating faculty. It will also be helpful to individuals whose materials will be evaluated. It provides guidance about making evaluations in accordance with the University's policies and procedures related to work-life flexibility and is designed to accompany "Creating Work-Life Flexibility: A Toolkit for Chairs and Deans" (August 2009). Both toolkits were made possible by the generous support of the Alfred P. Sloan Foundation and the American Council on Education.

Boise State University has a number of programs and policies aimed at helping faculty make choices about their career growth and their personal lives. Career flexibility enables faculty to create more satisfying careers and to maximize their contributions to the University while devoting appropriate attention to their personal lives. Committees evaluating faculty must take career flexibility policies into account, supporting faculty who take advantage of those policies and avoiding any stigma associated with doing so. This toolkit is designed to facilitate appropriate evaluation.

WHY SHOULD EVALUATION COMMITTEES BE CONCERNED?

Boise State University is committed to work-life flexibility policies and practices that support recruitment and retention of talented faculty members. Changing faculty demographics mean that our excellence depends on offering supportive solutions to the challenge of balancing successful and satisfying careers with successful and satisfying personal lives. Committees charged with evaluating faculty performance need a clear awareness of policies related to career flexibility, and must fully support their use. Supporting faculty career flexibility does not require a lessening of expectations about faculty performance. Rather, it means enabling faculty to meet their full potential within a flexible framework that accommodates their personal lives.

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WORK-LIFE FLEXIBILITY POLICIES AND LAWS

Sick Leave (Policy 7260)

Birth mothers may use paid sick leave. Full-time faculty have nine (9) days of sick leave credited for each full year of service to the university, so depending upon the years of service and type of birth, a number of weeks of paid leave will be available. For more paid leave, the employee may use the Shared Leave Policy (see below).

For full policy details, see: http://www.boisestate.edu/policy/VII_personnel.shtml

Shared Leave Policy (Policy 7220)

An employee or an immediate family member who suffers from a serious health condition, injury or disability that necessitates absence from work may receive up to 160 hours of donated leave per year. These donations come from employees who have accrued vacation leave.

For full policy details, see: http://www.boisestate.edu/policy/VII_personnel.shtml

Leave After Birth, Adoption, or Foster Care Placement (Policy 7230)

In addition to the paid leave for eligible state employees, Boise State University grants partial or full relief of duties for mothers and fathers after the birth, adoption, or foster care placement of a child. An eligible employee receives paid or unpaid leave for up to 12 weeks during a 12-month period. An employee taking leave need not take such leave continuously and may take it on an intermittent basis, or by reducing their scheduled work hours. Paid sick leave must be completed within the first 6 - 8 weeks after birth (depending on the type of birth) or as directed by the attending physician.

For full policy details, including information about determinations about whether leave is paid or unpaid, see BSU Policy 7230: http://www.boisestate.edu/policy/VII_personnel.shtml

Tenure Clock Extension (Policy 4370)

An extension to the tenure probationary period may be granted when a faculty member's progress toward achieving tenure is impeded by things such as responsibilities with respect to childbirth or adoption, significant responsibilities with respect to elder or dependent care obligations, disability

or chronic illness, or circumstances beyond the control of the faculty member. Multiple extension requests may be granted. All requests for probationary period extensions must be made prior to commencing with a tenure or contract renewal review. If a probationary period extension is approved, a reduction in scholarly productivity during the period of time addressed in the request should not prejudice a subsequent contract renewal decision. Any faculty member in probationary status more than the standard four (4) or five (5) years because of extensions will be evaluated as if the faculty member had been on probationary status for the standard four (4) or five (5) years.

For full policy details, see: http://www.boisestate.edu/policy/IV_academicaffairs_facadmin.shtml.

Workload for Pre-Tenure and Tenured Faculty (Policy 4560)

The regularly assigned duties of all pre-tenure and tenured faculty consist of teaching, scholarship, and service each academic year. The distribution of effort among teaching, scholarship, and service may vary from faculty member to faculty member and from fall semester to spring semester. However, the distribution of effort should always balance the scholarly and service interests of individual faculty members with their responsibility to deliver academic courses of high quality. This variation in the distribution of faculty effort is desirable because it allows optimization of faculty contributions to professional and institutional goals. The evaluation of a faculty member should reflect the approved distribution of effort.

For full policy details, see: http://www.boisestate.edu/policy/policy_docs/4560_FacultyWorkload.pdf.

Family Medical Leave Act of 1993

The federal Family and Medical Leave Act (FMLA) allows eligible faculty to take unpaid leave for the birth and care of a new child; for the adoption of a child or for new foster care responsibilities; and to care for a sick child, parent, spouse, or themselves during a serious health condition. The FMLA permits employees to take leave on an intermittent or reduced schedule basis, within a 12-month period (the 12-month period is a “rolling” calendar year). The university maintains its portion of group health insurance coverage during the leave.

For full details, see: <http://www.dol.gov/esa/whd/fmla/>

FREQUENTLY ASKED QUESTIONS

This section provides answers to questions important both to committees charged with evaluating performance, and to individuals whose performances are being evaluated.

1. *Is a tenure clock extension always one year? May a faculty member request a one semester extension?*

Tenure clock extensions are always one year because tenure materials are reviewed annually.

2. *How many times may an individual faculty member request and receive a tenure clock extension?*

There is no limit to the number of times an extension may be requested.

3. *If a faculty member's workload is negotiated to accommodate personal or professional needs, but no tenure clock extension is granted, what if any adjustments should committees make in evaluating performance?*

Workloads for all faculty are negotiated. When negotiating workloads, pre-tenure faculty members should be certain that their workloads allow for appropriate performance in the areas on which they will be evaluated. Evaluations are based on performance; an adjusted workload is not a consideration. Reduced workloads are addressed in the next question.

4. *Should the annual evaluation of a faculty member on a reduced workload mention the reduced workload and specify the workload without mentioning the reason for the adjustment?*

Annual evaluations should specify the faculty member's workload. If the faculty member is on a reduced workload, the evaluation should note the adjustment in expectations. The reason for the reduced workload is not a consideration and should not be mentioned.

5. *If an applicant has accommodations for disability, what if any adjustments should committees make in evaluating performance?*

Qualified individuals with disabilities may receive reasonable accommodations that enable them to fulfill their essential job responsibilities. Once these accommodations are made, employees with accommodations should be held to the same performance standards as any other employee.

6. *If a faculty member who might be eligible for a tenure clock extension has not requested and received such an extension prior to the start of tenure review, should the tenure committee adjust its expectations about productivity?*

Expectations are not adjusted in such situations.

7. *May a pre-tenure or tenured faculty member request postponement of a regular annual evaluation?*

Annual evaluations are not postponed. They often vary in length and specificity depending on the faculty member's particular situation (on sabbatical, on a reduced workload, on FMLA, etc.).

8. *May a tenured faculty member request postponement of a Periodic Review of Tenured Faculty (BSU 4380)?*

Periodic Review of Tenured Faculty may be postponed. The faculty member should forward a written request for postponement to the department Chair (or assigned supervisor), specifying the extenuating circumstances that warrant a postponement. The Chair forwards the request, along with a recommendation, to the Dean. The Dean forwards the request, including recommendations from both Chair and Dean, to the Provost, who notifies the faculty member of the decision.

9. *If a pre-tenure faculty member is granted a leave for the terminal year of employment, is the tenure probationary period extended?*

There is no automatic extension of the tenure probationary period. BSU Policy 4370 governs decisions about an individual faculty member's tenure probationary period. That policy specifies that "All requests for probationary period extensions shall be made prior to commencing with a tenure or contract renewal review."

CASE EXAMPLES - BEST PRACTICES

Simon Parker, Assistant Professor, Childcare Provider




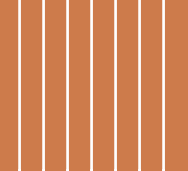
During his second year as a Boise State University tenure track faculty member, Dr. Parker and his wife had their first child. During the spring semester Dr. Parker made use of 12 weeks of FMLA job protected leave. His department reduced his teaching responsibilities during that semester, and he was approved for a one year tenure clock extension. During the next academic year, his department adjusted his workload so that his research responsibilities were concentrated during the fall semester and his teaching responsibilities were concentrated during the spring semester. Now, during his seventh year, Dr. Schmidt is being reviewed for tenure. One of his external review letters notes that his productivity was marginal given the fact that he had been allowed an extra year on the tenure clock. Boise State University's tenure and promotion committees, though, evaluate candidates who have received a tenure clock extension as though they had not used an additional year, and evaluate the candidate's teaching as though it constituted a full load.

Steve Summers, Professor, Caregiver for Parents

Dr. Summers, a full professor, has been employed at Boise State University for 17 years. He spent his last sabbatical in Palestine, researching the region's conflicts and economic challenges. Last year his mother developed Alzheimer's disease and his father underwent chemotherapy. In order to care for them, he requested and received a one year leave of absence without pay, without taking advantage of FMLA, but with assurance that he could return to his position at the end of that time. He had the full support of his department. By the end of that year, his father was in complete remission and able to care for his mother, who now resides in an assisted living facility. Dr. Summers applies for another sabbatical, proposing a return to Palestine and counting the year he was on unpaid leave as one of the required "six additional full-years of service" that must be rendered between sabbaticals. Dr. Summers' year on unpaid leave is not a full year of service, however, and may not be counted toward sabbatical.

Judith Johnson, Assistant Professor, Birth Mother

In her third year as a Boise State University tenure track employee, Dr. Johnson informed her department that she was expecting a child in late July. Dr. Johnson received 12 weeks of FMLA



leave at the start of the fall semester and negotiated a full workload that included reduced teaching responsibilities throughout the rest of the semester. She did not request the tenure clock extension that her chair had recommended. In her fifth year, she applies for tenure and promotion. Her department indicates some concern about her productivity, but Dr. Johnson reminds them that she has had heavy family responsibilities. Because she has no tenure clock extension, promotion and tenure committees must evaluate her materials in the same way they evaluate the materials of other candidates. Her teaching will be evaluated as though it were a full load, but if the department committee finds her productivity less than it should be, they could recommend that she withdraw her application and take the sixth year the policy allows to strengthen her application before it goes forward to the college committee.

Lee Landrew, Associate Professor, Recovering from an Injury

In September of her sixth year as a Boise State University tenure track faculty member, just after her materials for tenure and promotion were submitted to her department, Dr. Landrew is severely injured in an automobile accident. She uses her accrued sick leave for the remainder of the semester, undergoing extensive physical therapy. In November she is diagnosed with depression related to the accident's aftermath and negotiates a workload with reduced teaching responsibilities for the spring semester. The department has indicated full support for the reduction in teaching responsibilities, and there is widespread sympathy for her across campus. Dr. Landrew's traumatic injuries, however, are not a consideration as the committee evaluates her tenure and promotion materials, which are related to the time period before her accident.

LANGUAGE TO USE IN SITUATIONS RELATED TO FACULTY CAREER FLEXIBILITY

(adapted from University of California/Davis guidelines)

A. Suggested language for use when either candidates or departments are soliciting letters of support for tenure or promotion:

“A tenure/promotion action at this time is considered within normative time because s/he/I received approval to extend the tenure clock in accordance with Boise State University policy 4370. This policy requires that the dossiers of individuals who received such extensions be evaluated without prejudice, as if the faculty member had been on probationary status for the standard four (4) or five (5) years.”

B. Suggested language for department chairs and committees to use when a faculty member applies for tenure and promotion after receiving a tenure clock extension:

“Professor _____ received approval for a tenure clock extension of ____ year(s), in accordance with Boise State University policy 4370. This policy requires that the dossiers of individuals who received such extensions be evaluated without prejudice, as if the faculty member had been on probationary status for the standard four (4) or five (5) years.”

ON-LINE RESOURCES

Good Practice in Tenure Evaluation: Advice for Tenured Faculty, Department Chairs, and Academic Administrators.

A Joint Project of American Council on Education, American Association of University Professors, and United Educators Insurance Risk Retention Group.

<http://www.acenet.edu/bookstore/pdf/tenure-evaluation.pdf>

Creating, Implementing, and Sustaining Faculty Career Flexibility.

A Presentation at the Work-Life Best Practices in Higher Education Conference by Jean McLaughlin, Research Associate at the American Council on Education.

http://74.125.95.132/search?q=cache:IkHg8SCMDBkJ:www.southernct.edu/employment/uploads/textWidget/wysiwyg/documents/SCSU_Work_Life_Best_Practices_JEAN_M.pdf+university+career+flexibility+promotion+tenure+best+practices&cd=7&hl=en&ct=clnk&gl=us

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Contact Human Resource Services (426-1616) or the Office of the Provost (426-1202) if you have questions or suggestions about how Boise State University can assist you or your colleagues to make this university a great place to work.

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